

Historic, archived document

Do not assume content reflects current scientific knowledge, policies, or practices.

卷二

11

CONTENTS

	Page
Introduction	1
Scope and Character of Regulation of Hours of Work in Agriculture	4
Forms and Examples of Regulation of Hours of Work in Agriculture	6
Regulation of Hours of Work in Agriculture in Four European Countries	
1. Czechoslovakia	8
2. Sweden	11
3. Estonia	18
4. Germany	20

Regulation of Working Hours in Agriculture Abroad
Through State Intervention

I. Introduction

The legal regulation of hours of work in agriculture abroad is essentially a post-war (1914-18) phenomenon. Up to that time, with the exception of the Hungarian Act of 1898 which provided a very rudimentary approach to the problem and of the Australian Commonwealth award in 1907 which fixed a maximum work-week for sheep shearers, no degree of restraint was imposed on the unlimited and inordinately long working day in the industry.

This slow and belated action was due primarily to the traditional impression that working hours in agriculture, being governed as they are by climatic, soil and other natural conditions, defied inflexible administrative control or regulation. There were few who could be persuaded that even flexible methods of regulation which made allowances for the peculiarities of the industry were of any practical value. Such suggested adaptations were either ignored or pushed aside as "legal make-believe consisting entirely of exceptions."^{1/} So strong was this prejudice that no thought or consideration was given to the potential opportunities of reducing or regularizing agricultural hours of work through improved farm management technique, the introduction of advanced mechanical equipment, the diversification of farming, or through the organization of the farm labor market. All of these human factors which are recognized today as

^{1/} Louise Howard, *Labour in Agriculture, An International Survey*, 1935, p. 132.

being equally as important as natural conditions in determining the length of the working day and the distribution of farm work over the year were considered immutable.

To a large extent this attitude was due to the novelty of the idea of regulating working hours in agriculture. Few had ever heard of hours of work in agriculture being restricted or regulated. No body of experience and no history of effort were ready on which to build a structure of hour-regulation for the industry. When, for example, the idea of such regulation by international agreement was put forward in 1921 at the International Labor Conference as a possible item on the agenda it was not only voted down but it was necessary to obtain an advisory opinion of the Permanent Court of International Justice to prevent agriculture from being excluded from the competence of the International Labor Office. Although another resolution was passed at the 1921 Conference to the effect that "the regulation of hours of work in agriculture" was to be inserted in the agenda of a future Conference, it was obvious that this problem ended in a completely negative way at the first international discussion of the subject.^{1/}

The question of regulation of hours of work in agriculture was not raised again until the meeting of the Tripartite Preparatory Conference on the Reduction of Hours of Work in 1933. At that Conference, the Workers' Group moved a resolution regretting that the discussion did not include agriculture and requested an inquiry into the working hours of the industry with the object of bringing about an international

^{1/} Ibid, pp. 112-114.

Convention on the subject. Accordingly, the Governing Body of the International Labor Organization which subsequently considered this resolution, instructed the International Labor Office to make a technical study of the problem and placed the question of hours of work in agriculture on the agenda of the First Session of the Permanent Agricultural Committee in 1938. It was understood that this question would be further examined by the Governing Body when the Permanent Agricultural Committee submitted its report. Thus, in the brief history of the question of hours in agriculture before the International Labor Organization, the first serious discussion of the problem did not take place until 1938.

On the basis of the report on the problem made by the International Labor Office, which concluded "that some progress could be made in favour of agricultural wage earners and that regulation (of hours of work in agriculture) was possible in principle," ^{1/} and on the basis of the discussion which grew out of it, the Permanent Agricultural Committee adopted the following resolution: ^{2/}

"The Committee is of opinion that in the general interest of agriculture, wage earners' hours of work should be regulated.

It realizes, however, the difficulties which the application of such a regulation would meet with by reason of the essential diversity of agricultural work.

Further study of the question is still necessary before it can be usefully placed on the agenda of the International Labor Conference.

^{1/} International Labour Office, Social Problems in Agriculture, Record of the Permanent Agricultural Committee of the I. L. O., Studies and Reports, Series K, 1938, p. 147.

^{2/} Ibid, p. 149.

The Committee therefore requests the Governing Body to instruct the International Labour Office to continue its studies of the question with a view to its being placed on the agenda of one of the very next Sessions of the Conference after it has been re-submitted to the Permanent Agricultural Committee during the year 1939, which could then make positive proposals to the Governing Body."

II. Scope and Character of Regulation of Hours of Work in Agriculture.

Hours of work in agriculture are covered today, within certain limits, by some form of regulation in at least 17 countries. Twelve of these countries have enacted laws placing, in one way or another, a maximum to the number of hours an agricultural worker can be compelled to work. These are: Argentina (two provinces), Australia, Austria, Czechoslovakia, England, Estonia, Germany, Ireland, Italy, New Zealand, Spain and Sweden. The other five countries -- Denmark, France, Netherlands, Norway and Poland -- have established a more rational working day for agricultural wage-earners by encouraging collective agreements between employers and workers and, in some cases, even bestowing the force of law upon such agreements.

While it is true that all of the countries which have adopted legislative control of agricultural hours have approached the problem with considerable caution, it is nevertheless noteworthy that they are the first efforts to narrow the gap which at present exists between the working hours in agriculture and those in urban occupations. It also demonstrates that the difficulties of such regulations are not insuperable and that limiting and regularizing the hours of work in this industry is at least technically possible. When it is realized, moreover, that plans

for rationalizing hours of work have been adopted in countries with quite different natural conditions and with diverse forms of agricultural techniques and organizations, it appears within reach of human will and ingenuity to secure for wage workers in agriculture the same protection as is now afforded workers in other occupations. Indeed, the legislation passed in more recent years has shown considerable progression from the more compromise type characteristic of the early post-war (1914-18) years. In any event, it is generally agreed that agricultural workers have gained from any method of hour-regulation however loosely interpreted.

Whatever the methods of regulation, whether through legislation or through collective bargaining, all of them avoid rigid organization of the agricultural working day by providing considerable elasticity and adaptation to practical needs. They vary widely from simple rules restricting hours of work indirectly through compulsory nightly and daily rest periods to arrangements laying down a definite detailed time-table. Actual or average hours of work have been established varying in the different periods of the year and generally adapted to existing patterns and customs of the agricultural work-day. Only a few countries have placed an absolute final limit on the normal working day and on overtime and none have legally guaranteed that the working day is to end at a certain hour. In most cases, however, where hours are worked over the established standards, a system of overtime pay or compensatory rest periods is in force.

III. Forms and Examples of Regulation of Hours of Work in Agriculture.

An analysis of legal restriction and regularization of working hours in the agricultural industry of foreign countries reveals that these countries have taken essentially four approaches to the problem: 1) Through general legislation affecting all industries, including agriculture, 2) through special legislation relating to agriculture only, and supplemented by collective bargaining; 3) through minimum wage-fixing machinery which specifies the number of hours of work to which normal wage rates apply; and 4) through collective agreements and rules which are legally encouraged and often reinforced by law.

In Czechoslovakia, Italy, Spain and in two provinces of Argentina, regulation is imposed through general legislation providing for an eight-hour day or 48-hour week for all industries, including agriculture. However, in fixing a normal agricultural work-day or work-week the laws of these countries permit certain limited departures from the established norm.

Austria, Estonia, Germany and Sweden have enacted laws applying exclusively to agricultural labor, but even within this class, the methods of regulating agricultural working hours vary. Thus the laws of Germany and Sweden directly fix a maximum working day but also stipulate various periods of the year when the maximum may be exceeded within certain limits. On the other hand, those of Austria and Estonia do not set specific hours of work but instead provide for nightly and daily rest periods of specified duration. The same type of regulation obtains for

resident farm workers in Czechoslovakia. By deducting the hours of the nightly rest and the hours of the daily breaks from the 24 hours of the day, the length of the maximum working day is indirectly established.

Control of working hours in agriculture through legislation regulating wages obtains in Australia, England and Wales, Ireland, New Zealand and Scotland. In these countries, the minimum wage boards in fixing rates of pay have found it necessary also to define the length of the day, week or month to which the fixed wages apply. In this way they have confined work within definitely defined borders, assuming or specifying extra payment for time worked beyond these limits. Thus the normal length of the working week in England is generally 48 hours during the winter and 52 hours during the summer, in Ireland, 54 hours and in Australia and New Zealand, 44 hours for special categories of workers covered by Arbitration Court Awards.^{1/}

Finally the method of fixing a maximum work-day for agricultural workers has been further developed by collective rules and agreements which, in some degree, are supported by legislation in the following countries: Austria, Czechoslovakia, Denmark, France, Germany, Italy, Netherlands,^{2/} Norway, Poland and Sweden. Such agreements usually contain provisions for a daily maximum working day for various periods of the year.

^{1/} In Australia such awards have been made for pastoral workers, fruit pickers, cotton pickers and sugar field workers; in New Zealand, for pastoral workers. The New Zealand Agricultural Wages Act does not regulate daily or weekly hours of work, but in compensation long holidays with pay are provided.

^{2/} It will be noted that some of these countries (Austria, Czechoslovakia, Germany, Italy and Sweden) also regulate hours of work in agriculture by statute.

In some cases, the agreements not only fix the number of hours to be worked daily, but also the length of the breaks and the time when work is to begin and end.

Below is a more detailed review of regulation of hours of work in agriculture in four European countries: Czechoslovakia, Sweden, Estonia and Germany.

IV. Regulation of Hours of Work in Agriculture in Four European Countries

A. Czechoslovakia

Czechoslovakia was the first state after the War of 1914-1918 to legislate on hours of work affecting among others, agricultural workers. Under the Eight-Hour Day Act of 1918, the Minister of Social Welfare is authorized to allow special groups of industries to distribute working hours in a way different from that established generally for other industries. The agricultural industry was permitted to take advantage of this provision in January 1919.

In order to provide the necessary elasticity, the Decree of 1919 limits the application of the eight-hour day to agriculture in the following three ways: 1) The maximum eight-hour work-day is not to be applied rigidly, but in no case is the number of hours of work permitted to exceed 192 in four weeks; 2) in emergencies and for other important reasons, hours of work may be increased by not more than two a day during a period of not more than four weeks of the year; and 3) in case of seasonal needs, overtime may be allowed for a further 16 weeks in the year provided such

overtime is specially compensated.^{1/} The first modification of the provisions of the act applies automatically, but the next two are subject to special permits. No overtime permit is required, however, for subsidiary operations necessarily preceding or following work, as for example, feeding animals.

The provisions of the Decree apply only to persons regularly employed (longer than a week on engagements) in agriculture and forestry for daily or weekly wages and living outside the household of their employer. The working hours of day laborers engaged on a job for less than a week are not regulated. The hours of work of permanent resident agricultural workers are indirectly regulated by provisions relating to minimum nightly rest periods. Thus, for example, persons employed as resident farm hands who receive wages partly in kind (called deputatists), resident farm servants, animal tenders and farm watchmen are guaranteed a 12-hour period of rest every 24 hours, of which eight must constitute an uninterrupted night's rest. In effect, therefore, a maximum 12-hour work-day is established for such farm workers.

Experience under the Decree has led to a number of modifications of its original provisions. For example, it was a principle of the Decree that the number of hours exceeding 48 in one week should be compensated by corresponding rest periods in the following three weeks of the four during which an aggregate of 192 hours of work were permitted.

^{1/} International Labour Office, "The Present Regulation of Hours of Work in Agriculture", International Labour Review, January 1932, p. 84.

Both employer and worker groups agreed that such an arrangement was very difficult to maintain in agriculture and as a result the compensatory rest periods were abandoned by 1920. The same fate was encountered by the provision requiring farm employers to secure advanced permits before they were allowed to work their employees overtime. The difficulty of foreseeing conditions which made overtime work necessary hampered farm employers in obtaining authorization in time to meet emergencies.

These administrative difficulties, however, have been solved partly through collective bargaining agreements made in conjunction with the terms of the Decree and operating under official guidance. Under this arrangement, agreements are drafted jointly by agricultural employers, workers' unions, agricultural associations or societies and representatives of the Ministry of Social Welfare. These serve as guiding principles or model agreements for the conclusion of separate contracts between the individual agricultural worker and his employer. The model agreements have established ordinary rates of pay for the first ten hours of the working day even though the ninth and tenth hours are overtime in the eyes of the law. They have also stipulated that hours worked in excess of 10 per day are to be paid at higher rates.^{1/} In effect, therefore, the Act fixes a maximum ten-hour day for non-resident and regularly employed agricultural workers in the country.

^{1/} Ibid, p. 86

B. Sweden^{1/}

1. Coverage

When the general statutory limitation of hours of work to 48 per week was introduced in Sweden in 1919, agriculture was excluded from the scope of the Act. It was held that the special conditions of work in this occupation and its dependance on natural and climatic conditions called for separate treatment of the problem of long hours of work in agriculture. Accordingly, a special investigation was made and on the basis of the findings it was proposed to enact measures regulating the hours of work in the industry. The Act which finally was passed in 1936 and which was to be in force for a period of three years applied only to agricultural and horticultural employments, but the following year live-stock tending was included by amendatory legislation.

While the hour-standards incorporated in the Act were influenced by the hours-of-work clauses of the collective agreements in force at the time, nevertheless they themselves had to undergo far reaching changes to bring them into conformity with the law. The Act covers those workers employed only in establishments which as a rule engage not less than three persons.^{2/} It applies to horticultural occupations and to strictly agricultural work including the preparation of the soil, sowing, harvesting and the preservation and treatment of the produce. It also covers

1/ This review is based on a report on "The Regulation of Hours of Work in Swedish Agriculture," by Gunnar Havermark, International Labour Review, May, 1939.

2/ In calculating the number of workers employed by a farmer, no account is taken of members of the employer's family, estate agents, bookkeepers or other salaried employees.

subsidiary occupations on the farm such as cattle tending, stock raising, forestry, dairying, flour milling, sawmilling, and building, road and waterway construction. The latter occupations, however, are not covered if they are carried on as independent undertakings apart from farms engaged in crop production. Neither does the Act apply to work done under conditions that farm employers cannot be expected to supervise, nor to milking or agricultural work paid at piece rates. Similarly, ditching and forestry work done at piece rates by workers who are not permanently employed on the farm are also excluded. Finally, the Act exempts domestic servants and all managerial and white collared employees engaged on a farm, and all agricultural work carried on by the Government.^{1/}

2. Established Normal Hours of Work^{2/}

The Act makes a definite distinction between normal and over-time hours of work on the farm. Except for livestock tending, it fixes a maximum normal working day of 10 hours, but at the same time it stipulates three different periods when the normal length of the working week shall not exceed a certain number of hours. Thus, in December, January

^{1/} In cases of disputes which arise regarding the kinds of work actually covered by the Act, the latter provides that the Labour Council (a body vested with special powers in regard to the application of both the Act relating to hours of work in agriculture and the general Hours of Work Act) shall decide whether a particular operation or a particular worker is deemed to be covered. Moreover, when a worker performs operations of which some are covered by the Act and some are excluded, the principle adopted is that the regulations shall apply to the time spent on work covered by the Act, but not to the rest of the working time.

^{2/} Hours of work are taken to be the time during which the worker is at the disposal of his employer. Daily rests and the worker's journey time between his dwelling and the farm or field are not included in the hours of work. They do include the journey time between the farm and the field.

and February, the weekly hours are not to be more than 41; in March, October and November, 46 hours; and in the period from April to September, they are not to exceed 54 hours. Assuming that no work is done on Sundays and that six hours are worked on Saturdays, the hours on other days will be, as a rule, about seven in winter, eight in spring and fall, and about $9\frac{1}{2}$ in the summer half-year. For workers employed solely as livestock tenders, the normal hours of work may not exceed nine in any one day or 108 in any one fortnight.^{1/} Thus, in the summer the actual weekly hours of work for these workers are about the same as those for agricultural land workers. In the spring, fall, and winter, however, livestock tenders are permitted to work from eight to 13 hours longer per week.^{2/}

Within the statutory limits of these weekly or fortnightly hours, the farm employer is free to distribute working hours over the different days, but in no case is he permitted to employ agricultural land workers for more than ten hours per day or employ livestock tenders for more than nine hours per day. The actual length of the working day determines, of course, the number of free days that the worker has during

^{1/} The first fortnightly period of the year is deemed to begin with the first week of which the first weekday falls in November.

^{2/} The provisions of the Act relating to normal working hours are designed only for two classes of agricultural workers: land workers and livestock tenders. Since farm workers belong to both of these groups at one time or another during the same year, it becomes necessary to apply different hours of work regulations. To some extent, this can be done within the framework of the Act, but generally the matter must be and has been arranged by means of exemptions which are almost always incorporated in collective agreements.

each week or each fortnight.^{1/}

The Act further provides for a maximum normal working time of about 2,500 hours a year for workers employed strictly in agricultural land work and about 2,800 hours for those employed in tending livestock. In practice, however, the number of annual hours worked are smaller because agricultural land workers do not work on Sundays and public holidays and livestock tenders are entitled to a certain number of free days.^{2/}

3. Exemptions from the Statutory Distribution of Normal Hours of Work.

In order to avoid inflexible application of the system of statutory hours of work which would handicap farmers whose work schedules may vary in the different parts of the country and in the different branches of agricultural activity, the Act empowers the Labour Council, a) to allow normal hours of work to be distributed in some other way than that prescribed by the Act and b) to increase the maximum annual hours permitted by statute. The first type of exemption does not involve an increase in the total annual working time but constitutes a method of modifying the normal working hours prescribed for the various seasons of the year. This permits the individual farmer to meet larger than normal

^{1/} In the case of cattle tenders which perform milking operations at piece rates and to whom the Act does not apply, the farm employer may distribute all work other than milking over the hours allowed by the Act in any fortnightly period and have the milking done outside of those hours.

^{2/} More detailed provisions concerning the time at which work should begin and end and daily rest periods or "breaks" are found in the collective agreement between farm employers and agricultural workers.

labor requirements which he can foresee in advance. The second type of exemption involves the extension of the established normal hours or permission to work overtime, and is intended to meet unforeseen circumstances.

With regard to the first type of exemption, the Labor Council has agreed in a large number of cases to the transfer of working time from one part of the year to another without extending the average hours worked over the year.^{1/} Such permission has been granted with or without consultation of the workers affected. On the other hand, the Council has demonstrated a reluctance to give farm employers permission to increase normal hours of work unless their workers have agreed to such extension.^{2/}

4. Overtime.

The subject of compensatory rates for certain types of overtime is left to be settled by agreement between farm employers and agricultural workers. The right to work overtime, however, is kept within certain limits, being restricted to a specified number of hours during

^{1/} For example, the Council has given permission to a number of employers in central Sweden to extend working time in February to 46 hours a week in exchange for a reduction of weekly hours to 41 in November. This was done because of the longer hours of daylight needed for work in and afforded by the month of February as compared with November. Sugar beet farmers in the south of Sweden and livestock farmers in the various parts of the country also have received authorization to effect changes in the distribution of working hours.

^{2/} In cases of agreement between farm employers and livestock tenders, the Council has allowed an extension of the statutory normal hours of 108 to 117 in the fortnight. The limitation to nine hours per day, however, has been maintained.

a well-defined period. In addition, certain conditions must be fulfilled before overtime may be worked at all, and all overtime hours, with few exceptions, must be recorded in the employer's overtime register.

The Act provides for three kinds of overtime: for emergencies,^{1/}
for accessory work^{2/} and for general (but specified) purposes. According to the law, no special pay is due for overtime worked in emergencies, but compensatory rates are due for accessory work and general overtime. The rates for the latter two types of overtime, however, are matters to be settled by agreement between the parties to the employment contract. In emergencies, overtime may be worked without special permission and for as long as necessary, but the Labor Council must be notified. The notification must be accompanied by a statement giving the reason for the overtime and its probable extent and duration. If the work cannot be completed within two days, an application for permission to continue the overtime must be made to the Council. In the case of regular or casual accessory work, for which no permit is needed, the necessary number of

^{1/} Emergencies are defined as natural catastrophies, accidents or other circumstances that cannot be foreseen and which interrupt the work of an undertaking or entail imminent danger of such interruptions or injury to life, health or property. Cases of birth, disease or accident among livestock are also considered emergencies.

^{2/} Accessory work is taken to be operations necessary to be performed before or after the ordinary hours in order to insure continuity of other work on the farm during a normal working day. Regulations specify these operations to be as follows: preparation and greasing of engines, agricultural machinery, vehicles and tools, firing boilers, filling tanks, cleaning and grinding scythes, spades, axes, etc., and, in certain cases, grooming and feeding horses and cleaning stables.

workers may be employed for this purpose for not more than seven hours each in the week. These hours are not counted in the annual total allowed for general overtime. General overtime may be worked under "special conditions" which necessitate work above the normal hours, but such overtime is limited to a maximum of 48 hours in every period of four weeks and 260 hours in any period of 12 consecutive months. In regard to all three kinds of overtime, the employer is free to decide when overtime is to be worked but the Act does not impose an obligation on the worker to work overtime. This is a matter to be settled between the worker and the employer, and is usually covered by special collective agreements.

5. Enforcement, Appraisal and Conclusion.

Enforcement of the Act is entrusted to the Labor Inspectorate which maintains a corps of inspectors. Farm employers are required to keep registers in order to assist the checking and observance of the hours-of-work provisions. Offenders against the Act are punished either by fine or imprisonment.

In view of the fact that the Act is frankly experimental, it is but natural that complaints have arisen both from employers and workers. These complaints, among other reasons, have led the Government to request the Labour Council to report on the effects of the Act and to make proposals for any changes in the light of the experience gained. This the Council has done, and among its proposals was one which recommended that the Act be prolonged for a further period of three years. In June 1939, this proposal was adopted and the Act, with certain changes, has been extended to run until October 1942.

In the comparatively short time the Act has been in existence it has shortened the total annual working time in agriculture, and, it has been observed, "may reasonably be taken as going a long way towards practical solution of the problems of regulating hours of work in agriculture in Sweden."^{1/}

C. Estonia

A new Agricultural Labor Code was adopted in Estonia in May 1939 regulating the hours of work, among other conditions of employment. The Act covers all persons employed in agriculture, except foremen who are not required to perform manual work. Agricultural employment is defined "as all work done on the farm"^{2/} (including certain operations of an industrial character performed without outside help, such as construction) and work - such as carting - done outside the farm but economically connected with it."

The Act prescribes the form of employment contracts which are to be entered into between farm employers and agricultural workers as well as the provisions which these must contain. With regard to hours of work and rest periods, the Act specifies the following terms which these contracts must include:

- 1) An unbroken nightly rest of at least eight hours, except during June and July when this rest period must be at least seven hours;

^{1/} Ibid, p. 647.

^{2/} A "farm" is defined as any independent homestead with at least two and one-half acres of land intended for agricultural production or stock-raising. Work done in commercial horticultural establishments is not considered agricultural work within the meaning of the law.

- 2) During a working day exceeding ten hours, provisions must be made for two rest periods totalling $3\frac{1}{2}$ hours a day, or four hours during June and July;
- 3) For children under 14 years of age, the length of the nightly rest may not be less than nine hours and the length of the daily rest periods during the working day may not be less than four hours.

The Act also provides for the granting of exemptions from the working hours agreed upon in the employment contract and for permission to work overtime. Thus, normal hours of work which are fixed in the contract may be extended with a view to protecting crops against bad weather, for making repairs to agricultural machinery in order to insure continuity of work, for protecting crops and livestock against imminent danger, for carrying out exceptional transport work required by law, and in other irregular circumstances. It is further provided that any extension of normal hours of work for any one of the above-mentioned causes is to be accompanied by a corresponding reduction in the hours of work to be done on the following day or compensatory wages are to be paid as specified in the contract of employment.

Work on Sundays or public holidays is prohibited except on certain indispensable tasks such as tending cattle. In all cases, however, the worker is entitled by law to at least one free Sunday a month. In addition, each agricultural worker is authorized to receive one day's paid holiday for every two months' work and an additional day after each six months' period of employment.

Enforcement of the Act is entrusted to labor inspectors who are required to report infringements to district authorities. The Minister of Social Affairs, in agreement with the Minister of Agriculture, is authorized to issue rules and regulations with a view to securing effective enforcement of the law.^{1/}

D. Germany

In Germany, the Provisional Agricultural Labor Code established in 1919 is still in force. It grew out of a collective agreement between representatives of farm employers and of agricultural workers and was given the sanction of legal authority.

The Code fixes an average working day for each of two different periods of the year and a maximum working day for one-third of the year. It provides for an average work-day of eight hours during four months, of ten hours during another four months, and for a maximum work-day of eleven hours for still a different one-third of the year. Rest periods during the summer months and time spent in feeding draught animals are not included within the established maximum hours.

The four-month periods are not required to be of consecutive months. Their distribution and division over the year are left to the employer, unless regulated through collective agreements. During the last-mentioned period, the eleven hours of work are an absolute maximum while during the first two periods the maxima of eight and ten hours, respectively, are permitted to be averaged out and a particular working day could ostensibly

^{1/} International Labour Office, "New Agricultural Labour Code in Estonia", Industrial and Labour Information, July 17, 1939, pp. 122-124.

be any length. It has been held, however, that even during the first two periods no worker could legally work more than eleven hours per day. Overtime work is permitted in any period without any fixed limits, provided such work is compensated at higher rates of pay. It has been estimated that the average working day under the Code is slightly over ^{1/}nine hours throughout the year.

^{1/} International Labour Office, "The Present Regulation of Working Hours in Agriculture," International Labour Review, January, 1932, pp. 81-82

